

CITY COUNCIL
DECEMBER 19, 2022
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on December 19, 2022, with Mayor Mike Rawlings presiding. Council present were Mike Martin, Eric Birk, Mike Huddleston, Bob Bailey, Tom Leffler, Kip Richardson, Jeff Brown and Ron Reavis. Also present: City Attorney Andrew Marino, City Manager Josh Shaw, Assistant City Manager Cody Sims, and City Clerk/Director of Finance Erica Jones. Staff Present: Director of Public Safety Todd Ackerman, Shawna Cortez, and Susan Smith. Visitors: Paul Andrews, Amanda Smith, Bob Chance, Shawn Davis, Andrea Davis, Chad Houghtaling, Kim Austin, Barry Carroll, Clayton Pearson, Kelly Modlin, Nicole Lichlyter, Matt Lichlyter, Gary VreeLand, Glenda McVay, Judy McVay, Chris Lenz, Tim Lenz, Ben Bunck, Patricia Reel, Cary Patterson, Dalton Patterson, Mark Probert, Jayme Chapin, Melanie Cox, Ruth Holliday, Tonya Scott, Shane Scott, Connie Thurman, John Moore, David Leib, Randall Suro, Craig Plank, Connie Chance, Ben McClure, Lisci Hilt, Calvin Hilt, Nick McClure, Stephanie Counter, Jay Counter, Vickie Carter, Rob Schmidt, Robert Haig, C Pair, Richard Kennedy, Bill Morris, Kathy Kehr, Brad Loper, Vona Dean, Dennis Hardin, James Wentz, Nicole Wentz, Jake McClure, Christine Sims, Lauren Sims, Theresa Cobil, Valerie Haney, Ron Haney, Don Snyder, Trey Harrison, Karen Graham, Peter Mitsch, Jada Ackerman, Lori Cook, Jack Cook, Will Cook, Derek Chilcott, Gabriel Turner, Buddy Willis, James Ewertz, Gabrielle Phillips, Vickie Carter, and Heidi Newman.

Pledge of Allegiance

Prayer: Pastor Paul Andrews, Freedom Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the December 5, 2022 City Council meeting. Brown seconded the motion. Motion carried without opposition.

Ordinance: Richardson made a motion to approve Ordinance #12 dated 12/7/2022. Bailey seconded the motion. Motion carried without opposition.

Business:

Agreement with Schwab-Eaton to Complete the Surveying and Concept Phase for Redbud Trail Pedestrian Bridge Over US-54 Highway Between Santa Fe Lake Road and Tawakoni Road; Review and Discuss Draft Project Plan Pursuant to K.S.A. 58-3212 Et Seq.:

Amanda Smith, 1802 Moyle, addressed the governing body and spoke in favor of the Redbud Trail.

Bob Chance, 1923 State, addressed the governing body and spoke in favor of the Redbud Trail.

Shawn Davis, local business owner and resident at 1917 Meadowlake Drive, addressed the governing body and spoke in favor of the Redbud Trail.

Chad Houghtaling, property owner adjacent to the trail at 11124 SW 104th Terrace, addressed the governing body and spoke out against the Redbud Trail.

Kim Austin, President of AARTI residing at 12979 SW 97th Street, addressed the governing body and spoke in favor of the Redbud Trail.

Barry Carroll, founder of Bike Walk Wichita and Secretary of AARTI residing at 1134 N Coolidge Wichita KS, addressed the governing body and spoke in favor of the Redbud Trail.

Clayton Pearson, former resident of Augusta at 1226 Euclid and currently residing at 1442 N Coolidge Wichita KS, addressed the governing body and spoke in favor of the Redbud Trail.

Birk made a motion to approve an agreement with Schwab-Eaton, P.A. Consulting Engineers to complete the surveying and concept phase for the Redbud Trail Pedestrian Bridge over US-54 Highway between Santa Fe Lake Road and Tawakoni Road at a cost not to exceed \$49,500 and authorize the use of the Capital Reserve in the General Fund to be reimbursed with cash by Andover. Brown seconded the motion. Motion carried with Leffler and Martin voting in opposition.

Kelly Modlin, local business owner, addressed the governing body and spoke out against the Redbud Trail.

Council reviewed and discussed the draft project plan for Redbud Trail development and letter to adjacent property owners pursuant to K.S.A. 58-3212 et seq. Huddleston made a motion to adopt the draft project plan as the preliminary project plan. Richardson seconded the motion. Motion carried with Leffler voting in opposition.

At 9:22 p.m. Huddleston made a motion to recess for 10 minutes. Bailey seconded the motion. Motion carried without opposition.

At 9:32 p.m. Richardson made a motion to reconvene the open meeting. Bailey seconded the motion. Motion carried without opposition.

Conduct a Public Hearing to Take Input and Comment on the Proposed 2022 Budget Amendments: Mayor Rawlings opened the public hearing to take input and comment on the proposed 2022 Budget Amendments. Mayor Rawlings closed the public hearing after no one came forward with input or comments.

Richardson made a motion to approve the proposed 2022 Budget Amendments. Huddleston seconded the motion. Motion carried without opposition.

Conduct a Public Hearing for the Condemnation of Residential Structures Located at 231 E Summit Ave Pursuant to the Provisions of K.S.A. 12-1750 Et Seq: Mayor Rawlings opened the public hearing to take input and comment on the condemnation of residential structures located at 231 E Summit Ave. Mayor Rawlings closed the public hearing after no one came forward with input or comments.

Glenda McVay, property owner, addressed the governing body. McVay stated that the property has been in her family since November 1962 and she was deeded the property when her mother died. She asked if the council is not willing to let her live there, if they would give her 60 days to have the opportunity to get the furniture out of there that she would like to keep.

Judy McVay addressed the governing body. She stated that they would like to be able to live there but from a financial standpoint they cannot afford to make the repairs, so they will stand by whatever decision is made by the Council.

Derek Chilcott, 911 Sandalwood, stepped forward and stated he could probably help them get their items removed from property if they needed his assistance.

Leffler made a motion to approve Resolution No. 2022-38 authorizing the condemnation of a single-family residential structure, a detached residential garage, and two outbuildings located at 231 East Summit Avenue pursuant to the provisions of K.S.A. 12-1750 et seq amending Section 2 to provide the owner of the structure 60 days, until February 18, 2023, to obtain permits and commence with the removal or repair of the dangerous structures. Reavis seconded the motion. Motion carried without opposition.

Ordinance No. 2206 Authorizing a Conditional Use Permit for a Self-Storage Facility at 1618 N Ohio Street: Reavis made a motion to approve Ordinance No. 2206 approving a conditional use permit for a self-storage facility at 1618 N Ohio Street. Huddleston seconded the motion. Roll Call: Huddleston Yes, Birk Yes, Reavis Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes, Martin Yes. Motion carried.

Ordinance No. 2207 Amending Chapter 15, Article 4, Section 443 Pertaining to Sewer and WWTP Capital Fees: Reavis made a motion to approve Ordinance No. 2207 establishing rates and charges for wastewater and sewer services of the municipally owned and operated wastewater utility of the City of Augusta; classifying the users fo such wastewater and sewer services providing for the effective date for such rates and charges and amending Chapter 15, Article 4, Section 442 of the code of the City of Augusta; and repealing Ordinance No. 2184 of the City of Augusta, Kansas. Richardson seconded the motion. Roll Call: Huddleston Yes, Reavis Yes, Birk Yes, Richardson Yes, Bailey Yes, Leffler Yes, Brown Yes. Motion carried.

2023 Special Alcohol Grant Program Applications: Reavis made a motion to approve 2023 Special Alcohol Grant Awards for Augusta USD 402 in the amount of \$3,000, Core Community Augusta in the amount of \$3,000, Family Life Center – Safehouse in the amount of \$3,000, and Tri-County CASA in the amount of \$3,000 for a total of \$12,000. Richardson seconded the motion. Motion carried without opposition.

2023 Utility Abatement Program Applications: Richardson made a motion to approve 2023 Utility Abatements for Augusta Arts Council Theatre in the amount of \$12,000, Augusta Arts Council Gallery in the amount of \$2,000, Augusta Community Caring Center in the amount of \$9,000, Augusta Historical Society and Museum in the amount of \$7,000, Augusta Senior Center in the amount of \$6,000, Mid-Kansas Community Action Program in the amount of \$8,000 and Twisted Oz Motorcycle Museum in the amount of \$18,000 for a total of \$62,000 in abatement and free service provided to Augusta Girls Softball. Reavis seconded the motion. Motion carried without opposition.

2023 Cereal Malt Beverage License Renewals: Leffler made a motion to approve 2023 Cereal Malt Beverage License renewals for King Buffet, Pizza Hut of SE KS, Augusta Arts Council, Corner Market, Wal-Mart Store #346, Casey’s General Store, Jump Start #3, Dillons #18 and Comfort Inn & Suites. Reavis seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Mayor Rawlings gave a reminder that the next two city council meetings will be on Tuesdays because of recognized holidays. The first meeting in January will be Tuesday, January 3rd and the second meeting in January will be Tuesday, January 17th.

Huddleston: Huddleston asked the council to consider amending the City's charter ordinance to allow candidates to file by petition again after the State removed that process from State statute. Huddleston inquired about the progress of the buildings downtown where concerns were voiced at a previous meeting. Shaw stated he will create a writeup to the council to provide an update, but that one of the properties will be changing ownership. Huddleston thanked Shaw for getting the agenda out a day earlier and said Wednesday would make it even better.

Richardson: Richardson thanked Sims for all he has done for the City.

Adjourn: At 10:50 p.m., Richardson made a motion to adjourn. Brown seconded the motion. Motion carried without opposition.

City Clerk